IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL WRIT PETITION NO. 1972 OF 2004

Abbas Mohammed Shaikh ..... Petitioner.

versus

The State of Maharashtra & Ors..... Respondents.

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Mr. M.M.Vashi i/b. M.P.Vashi & Associates for the petitioner.
Mrs. U.V.Kejariwal APP for State.

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CORAM ; V.G.PALSHIKAR &
ANOOP V. MOHTA, JJ.

DATED; 2ND NOVEMBER, 2004.

P.C.;

1. By this petition, the petitioner has made the following prayers.

a) That the Respondents 1 and 3 be ordered and directed to hold an enquiry against the 2nd respondent for having demanded a bribe from the petitioner and for having filed false case against the petitioner.

b) That the 2nd respondent be ordered and directed to hand over the keys of the Petitioner's lancer car bearing MH 02-LA-2894

which is lying at the Santacruz police station and allow the petitioner to take his car away.

c) That the false cases filed by the 2nd respondent against the petitioner bearing No.CC-23/2004 and Chapter Case No.15 of 2004 be quashed and set aside.

d) That pending the hearing and final disposal of the petition, the respondents 1 & 3, be ordered and directed to inquire into complaints made by the petitioner and take necessary action against the 2nd respondent.

e) That pending the hearing and final disposal of the petition, further proceedings in the two cases bearing No.CC 23/2004 and Chapter Case No.15 of 2004 be stayed.

f) That ad-interim relief in terms of prayers (d) & (e) be granted.

g) That the cost of the petition be proved.

2. In so far as the prayer (a) is concerned, the proper remedy is to make a complaint before the

Director General of Police regarding demand and attempted to receive bribe against respondent no.2.

3. In so far as prayer (b) is concerned, the police have no objection if the petitioner to take away his lancer car bearing MH 02-LA-2894 as early as possible.

4. In so far as prayer (c) is concerned, petitioner should contest the Chapter case No.15 of 2004. However it is directed that it should be taken up by ACP Bandra Division and not before Mr. Martin Miranda who has sworn the affidavit contesting this petition.

5. Rest of the prayers are interim prayers. Accordingly petition is disposed of.

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